

PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in regular session starting at 6:00 p.m. on Monday, December 7, 2015 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Branden Bestgen, Rod Bradley, Tony Dargatz, David Hersrud, Adam Martin, and Ronald Waterland. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: None.

Motion by Hersrud, second by Bestgen and carried with all members present voting yes to approve the agenda.

Motion by Bachand, second by Martin and carried with all members present voting yes to go into executive session for one personnel, two legal cases and three contracts at 5:59 pm.

Motion by Bestgen, second by Waterland and carried with all members present voting yes to return to regular session at 6:25 pm.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Announcements:

- The Holiday Open House at the Liquor Store will be held on December 18th.
- Ross Lamphere representing SMRi presented checks of \$5000 to the Sturgis Community Preschool; \$20,000 to the Sturgis Rally Community Development Fund and \$50,000 to Sturgis Rally Charities.
- The Chamber and Bear Butte Park received the Gold Star Customer Service Award from State Tourism.

Informational Reports:

- Park Board Minutes – 10/13/15 & 10/16/15
- Library Board Minutes – 10/28/15
- Pat Kurtenbach, Director, gave the SEDC Semi-annual Report power point presentation.

City Manager Ainslie reported:

- The sales tax update for General Sales Tax and Capital Improvement Tax for October collected in November was up 6.9% for the month to date and year to date it was up 20.4% and the Gross Receipts Tax (triple B) was down 4.9% for the month to date and up 19% year to date.
- Police Dept trail schedule
- Payroll Changes – within budget: Police Dept – Patrol Officer – Carter Smith, Josh Whitford - \$17.74. Community Center Dept – Front Desk Attendant – Josie Berglund, Goldie Schneider, Joslyn Zook - \$8.50. Lifeguard – Jordana Schuck, John Paul - \$9.00; Eric Chilson - \$9.50. Parks Dept – Parks Maintenance Tech 2 – Jacob Williamson - \$11.74 (\$13.10 after CDL & pesticide). Rally & Events Dept – Director – Jerry Cole - \$2461/pay period.

Motion by Hersrud, second by Waterland and carried with all members present voting yes to approve the following items on the consent calendar including the removal of d:

- a. Consideration to approve the minutes from the November 16, 2015 regular council meeting.

- b. Consideration to approve setting a public hearing for December 21, 2015 for a use on review for the Knuckle Brewing Co requesting a 10' variance to rear setback along alley to expand brewing room.
- c. Consideration to approve setting a public hearing for December 21, 2015 for a special events license for the Loud American for a retirement party at the City Auditorium on Jan 22, 2016.
- d. ~~Consideration to approve Resolution 2015-68 – Plat of 911 Sly Hill Road – Kevin Foxx.~~
- e. Consideration to approve purchase of police vehicle.

Discussion was held of D. Motion by Bestgen, second by Waterland and carried with all members voting yes to approve Resolution 2015-68 – Plat of 911 Sly Hill Road.

RESOLUTION 2015-68 RESOLUTION APPROVING PLAT

WHEREAS, the statutes of the State of South Dakota require that plats of property within the jurisdiction of the City of Sturgis be submitted to the governing body for approval before the same are recorded in the Office of the Register of Deeds; and

WHEREAS, the City of Sturgis Planning and Zoning have presented to the Common Council of the City of Sturgis a plat of the following described real property for Pater Foxx, LLC.

Plat of Lot X-1 and Lot X-2 of the SW 1/4 of the SW 1/4 of Section 3. Formerly Lot X of the SW 1/4 of the SW 1/4 of Section 3. Located in Township 5 North, Range 5 East, Black Hills Meridian, City of Sturgis, Meade County, South Dakota.

WHEREAS, said plat meets the requirements of the statutes in all things, now therefore,

BE IT RESOLVED by the Common Council of the City of Sturgis, South Dakota, that the within and foregoing plat is hereby approved.

Dated this 7th day of December, 2015.

Published: 12/23/2015

Effective: 1/13/2016

Motion by Hersrud, second by Martin and carried with all members present voting yes to approve the following claims with the exception of Ambulance - Hersrud Co., \$815.49, rep:

Wages – Ambulance \$28,394.60; Attorney \$3527.20; Auditorium \$168.01; Buildings \$1020.14; Cemetery \$1336.51; City Manager \$4724.85; Community Center \$8756.68; Finance Office \$8272.48; Fire Department \$485.58; Human Resource \$2723.58; Library \$8132.12; Liquor \$4812.63; Mayor and Council \$3450.94; Parks \$10,125.27; Planning & Permitting \$4423.27; Police \$34,802.07; Rally \$4231.71; Recreation \$4659.57; Sanitary Service \$13,988.90; Streets \$11,686.21; Wastewater \$8007.75; Water \$12,942.52; Federal Withholding \$22,081.46; FICA \$15,170.06.

GENERAL – A&B Business, \$712.14, sup; A&B Welding, \$12.79, sup; A&J Surplus, \$23.99, prof fee; Ace Steel & Recycling, \$69.77, sup; Adams Machining, \$2,970.99, rep; Allstate Peterbilt, \$809.91, rep; Amazon, \$101.31, sup; Amcon Distributing, \$718.64, resale; American Legal Services, \$50.68, prof fee; Avaya, \$36.39, utilities; Baker & Taylor, \$923.28, sup; William

Barff, \$643.00, ins; Minnie Bell, \$49.83, travel; Best Western Ramkota, \$539.94, travel; Black Hills Library Consortium, \$144.17, sup; BHP, \$14,110.06, utilities; BH Rally & Gold, \$151.50, resale; Jerry Burnham, \$2,543.75, prof fee; Butte Electric, \$578.88, utilities; Caselle, \$1,479.00, prof fee; CBH, \$5,581.90, sup; Cedar Shore Resort, \$509.75, travel; Century Business Products, \$81.18, sup; Chain Saw Center, \$1,905.00, sup; City of Sturgis Water Dept, \$1,442.13, utilities; Country Inn & Suites, \$183.98, travel; Dakota Business Center, \$101.34, rep; Dakota Hardware, \$856.11, rep; Deer Mountain Gutter, \$604.35, sup; DEMCO, \$343.36, sup; Diamond Vogel Paints, \$227.52, sup; Domino's Pizza, \$54.00, ins; Kathy Dykstra, \$500.00, ins; Epic Outdoor Advertising, \$1,100.00, rent; Fastenal Co., \$3.69, rep; FEDEX, \$190.86, sup; Fire Pro, \$41.95, rep; First Western Insurance, \$50.00, ins; Foothills Seed, \$193.00, sup; Freeman's Electric, \$182.40, rep; G&G Enterprises, \$105.62, sup; Great Western Tire, \$1,556.90, sup; Ken Grosch, \$30.00, other; Hawkins, \$14.77, sup; Hills Materials, \$449.65, sup; Holiday Inn Express, \$313.00, travel; J&L Services, \$560.00, sup; Lori Jeffery-Kirk, \$187.50, travel; Jenner Equipment, \$1,705.63, rep; Jerry's Refrigeration, \$156.30, rep; Audrey Johnson, \$110.90, travel; KT Connections, \$952.28, prof fee; Tyler Kaitfors, \$304.40, ins; Knecht Home Center, \$16.98, sup; Kone, \$146.07, rep; Lacal Equipment, \$1,999.20, rep; Lawson Products, \$88.81, sup; Legends Sales & Marketing, \$13,500.00, prof fee; Lynn's Dakotamart, \$589.66, sup; McGas Propane, \$319.50, sup; Meade County Auditor, \$7,824.42, other; Meade County Times/Tribune, \$52.00, other; Miracle Recreation Equipment, \$2,373.80, rep; Mobile Mini, \$83.97, sup; Annette Moore, \$500.00, ins; Motionsoft, \$450.00, prof fee; National Arbor Day Foundation, \$25.00, other; Newkirk's Ace Hardware, \$22.49, sup; Northern Hills Vet Clinic, \$279.59, prof fee; Northern Truck Equipment, \$480.00, rep; Northwest Pipe fittings, \$891.03, sup; Owens Interstate Sales, \$146.51, sup; Park Avenue Car Wash, \$28.00, sup; Pete Lien & Sons, \$1,279.06, sup; Petty Cash, \$39.72, sup; Dane Pi, \$60.00, other; Pitney Bowes, \$106.17, rent; Pizza Hut, \$32.49, sup; Prairie Wind BG, \$426.50, rep; Public Safety Equipment, \$319.98, rep; Purchase Power, \$500.00, sup; Push-Pedal-Pull, \$367.00, rep; John Rasch, \$500.00, ins; Rasmussen Mechanical, \$2,351.22, rep; Robert Sharp & Associates, \$3,978.80, pub; Rockingtree Floral, \$35.85, other; Rockingtree Landscape, \$744.00, sup; Rushmore Office Supply, \$665.20, sup; S&C Cleaners, \$3,100.00, rep; Sand Creek Printing, \$84.67, sup; Scott Peterson Motors, \$816.16, rep; SD Dept of Revenue, \$170.00, other; SD Federal Property Agency, \$59.00, sup; SD Police Chiefs Assn, \$180.00, other; SD Secretary of State, \$30.00, ins; Sheehan Mack Sales & Equipment, \$44.43, rep; Shopko, \$17.21, sup; Sturgis Coffee, \$162.25, sup; Sturgis Motorsports, \$3.99, sup; Sturgis NAPA, \$1,498.61, rep; Sturgis Police Reserves, \$1,360.80, utilities; Sturgis Volunteer Fire Dept, \$2,727.00, resale; Universal Athletic, \$696.11, sup; Jarrod Vandewater, \$30.00, other; VAST, \$2,133.71, utilities; Verizon, \$2,026.65, utilities; Werlinger Auto Body Repair, \$3,690.27, rep; West Payment Center, \$133.60, prof fee; West River Electric Assn, \$605.79, utilities; Wheeler Farms Candy, \$110.00, sup; White Plate flat Trackers, \$1,000.00, deposit; Elaine Wolken, \$1,000.00, ins; World Business Industries, \$816.99, resale.

SPECIAL SALES TAX – Chamber of Commerce, \$9,166.67; Sturgis Economic Development, \$9,666.67.

CAPITAL IMPROVEMENT – Chain Saw Center, \$237.00; Contractor's Supply, \$75.00; Dakota Fence, \$9,490.00; Foothills Seed, \$118.00; Miracle Recreation, \$9,890.00; Pete Lien & Sons, \$114.00.

BUSINESS IMPROVEMENT DISTRICT – Tammy Bohn, \$174.86, sup; Dakota Hardware, \$5.98, sup; Downtown Sturgis Foundation, \$1,725.47, sup; J&L Services, \$45.00, sup; VAST, \$616.94, utilities.

LIQUOR – Amcon Distributing, \$3,120.72, resale; BHP, \$1,954.14, utilities; Cask & Cork, \$457.00, resale; Century Business Products, \$2.43, sup; City of Sturgis Water Dept, \$258.79, utilities; Eagle Sales, \$14,745.71, resale; Epic Products, \$141.41, resale; First Interstate Bank, \$2,000.00, ATM; Fisher Beverage, \$8,622.35, resale; Johnson Western Wholesale, \$23,787.51, resale; KT Connections, \$67.93, prof fee; Lynn's Dakotamart, \$216.00, resale; North Country Business, \$820.00, prof fee; Prairie Berry, \$1,020.00, resale; Republic Beverage, \$31,542.00,

resale; Rushmore Office Supply, \$370.64, sup; Schade Vineyard, \$792.00, resale; Valiant Vineyard, \$132.00, resale; VAST, \$167.91, utilities.

WATER – A&J Surplus, \$17.28, sup; Babco Values, \$519.00, sup; BHP, \$1,674.29, utilities; Butte Electric, \$1,719.23, utilities; Campbell Supply, \$208.67, sup; CBH, \$744.39, sup; Century Business Products, \$53.84, sup; Chris Supply, \$58.00, sup; City of Sturgis Water Dept, \$117.69, utilities; Clark Equipment, \$38,020.11, equip; Credit Collections Bureau, \$75.24, prof fee; Dakota Hardware, \$248.96, sup; Ecolab Pest Eliminator, \$310.00, prof fee; G&H Distributing, \$242.34, sup; Grocery Mart, \$52.43, sup; Isabelle Hall, \$32.04, refund; Hawkins, \$20.00, sup; HD Supply Waterworks, \$8,097.44, sup; Hills Materials, \$626.97, sup; Nikki Kubo, \$68.89, sup; Meade County Times/Tribune, \$39.85, prof fee; Midcontinent Testing Lab, \$138.00, prof fee; Mobile Mini, \$41.98, sup; Northwest Pipe Fittings, \$20.70, sup; O'Reilly Auto Parts, \$171.32, rep; Pizza Hut, \$54.75, sup; Rushmore Office Supply, \$308.74, sup; SD Assn of Rural Water, \$1,100.00, prof fee; SD One Call, \$51.52, prof fee; Servall Towel & Linen, \$11.86, sup; Shopko, \$32.97, sup; Sturgis NAPA, \$205.30, sup; Town-N-Country Plumbing, \$101.30, sup; Sarah & David Townsend, \$36.03, refund; VAST, \$170.14, utilities; Verizon, \$248.39, utilities.

WASTEWATER – American Engineering Testing, \$1,646.20, prof fee; BHP, \$2,909.65, utilities; City of Sturgis Water Dept, \$20.52, utilities; Dakota Hardware, \$4.50, rep; Deer Mountain Gutter, \$604.35, sup; Fastenal Co, \$57.83, rep; KT Connections, \$67.93, prof fee; Lawson Products, \$88.82, rep; Meade County Weed & Pest, \$5,000.00, other; Midcontinent Testing Lab, \$746.40, prof fee; Prairie Wind BG, \$199.65, rep; Sand Creek Printing, \$84.66, sup; USA Blue Book, \$50.38, sup; Verizon, \$155.43, utilities; Wells Plumbing, \$29.69, rep.

SANITATION – A&J Surplus, \$21.50, rep; Allstate Peterbilt, \$107.10, rep; Andrew Barff, \$150.80, ins; BHP, \$268.18, utilities; CBH, \$246.00, sup; Century Business Leasing, \$193.58, prof fee; Century Link, \$54.00, utilities; City of Belle Fourche, \$20,312.80, other; Deer Mountain Gutter, \$394.23, sup; Eddies Truck Sales, \$3,548.10, rep; Great Western Tire, \$2,123.36, sup; Inland Truck Parts, \$35.60, rep; Jay Johnson, \$343.05, ins; KT Connections, \$67.93, prof fee; Key City Glass, \$200.00, rep; Kieffer Sanitation, \$256.50, sup; Lawson Products, \$88.81, rep; Meade County Weed & Pest, \$3,029.71, other; Northern Truck Equipment, \$310.00, rep; Regional Health, \$51.00, prof fee; Rushmore Office Supply, \$164.34, sup; Sand Creek Printing, \$84.67, sup; Sturgis NAPA, \$218.69, rep; Verizon, \$53.99, utilities.

AMBULANCE – Black Hills Occupational, \$30.00, prof fee; CBH, \$1,687.25, sup; City of Sturgis Water Dept, \$51.55, utilities; Dale's Tire & Retreading, \$446.12, sup; Dataform, \$62.96, sup; Foothills Home Medical, \$126.00, sup; Holiday Inn, \$79.95, travel; Image Trend, \$1,008.00, prof fee; KT Connections, \$67.93, prof fee; Kreiser's, \$3,350.52, sup; Lynn's Dakotamart, \$36.91, sup; Physio-Control, \$241.50, sup; Purchase Power, \$324.72, sup; Regional Health, \$25.00, prof fee; Richter's Tire & Exhaust, \$12.00, rep; Rushmore Office Supply, \$568.90, sup; Scott Peterson Motors, \$323.06, sup; Sturgis NAPA, \$415.57, sup; Summit Signs & Supply, \$525.00, sup; VAST, \$107.27, utilities; Verizon, \$314.07, utilities.

Motion by Waterland, second by Martin and carried with Carstensen, Anderson, Bachand, Bestgen, Bradley, Dargatz, Martin and Waterland voting yes, Hersrud abstaining, to approve the following claims: Ambulance - Hersrud Co., \$815.49, rep

Motion by Hersrud to approve second reading of Ordinance 2015-17 – Title 31 – Licensing of Temporary Businesses. Died for lack of second.

Motion by Dargatz, second by Waterland and carried with all member present voting yes to approve tabling second reading of Ordinance 2015-17 for two weeks.

Motion by Waterland, second by Bradley and carried with all members present voting yes to approve the Airport Manager Contract.

Motion by Bradley, second by Hersrud and carried with all members present voting yes to approve the SEDC Professional Services Contract.

Motion by Bestgen, second by Bachand and carried with all members present voting yes to approve Resolution 2015-67 – Voluntary Annexation for SLE Real Estate LLC (Ismay) - 2401 Vanocker Canyon Rd subject to them signing another acknowledgement with signatures and what their titles are of the LLC.

RESOLUTION 2015-67

**RESOLUTION ON ANNEXATION OF LAND OWNED BY SLE REAL ESTATE LLC,
JOHN AND BONNIE ISMAY**

WHEREAS, SLE Real Estate LLC, John and Bonnie Ismay has filed a Petition for Annexation with the City of Sturgis; and

WHEREAS, said Petition has been executed by more than $\frac{3}{4}$ of the registered voters and more than $\frac{3}{4}$ of the owners of the value of the territory sought to be annexed to the City of Sturgis; and

WHEREAS, said real property set forth in the Petition is contiguous to the City of Sturgis; and

NOW THEREFORE BE IT RESOLVED, that this Resolution of Annexation shall become effective immediately upon the filing of this resolution and a map of the annexed area with the Meade County Register of Deed pursuant to S.D.C.L. 9-4-11; and,

BE IT FURTHER RESOLVED that upon such approval that the following described real property shall be annexed to the City of Sturgis:

The portion of the NE1/4 of the NE1/4 of Section 16, Township 5 North, Range 5 East of the Black Hills Meridian, Meade County, South Dakota, lying West of the Dakota, Minnesota & Eastern Railroad Right of Way; Excepting there from Lots 10C, E-1, E-2, E-3, E-4, H-2, H-3, H-4 and Block 1 of Heritage Acres Addition (Parcel ID 11.16.111).

Dated this 7th day of December, 2015.

Published: 12-23-15

Effective: Immediately upon filing

Motion by Bestgen, second by Hersrud and carried with all members present voting yes to approve a commitment to Regional Health to sell public land to them for expansion of the hospital. The land will be transferred to SEDC and then transferred to Regional Health. Regional Health will spear head the restoration of the Nolan Monument and the City will relocate the White Plat Flat Trackers monument.

Any other business:

None

Motion by Bachand, second by Martin and carried with all members present voting yes to go into executive session for personnel and contracts at 7:32 pm with no action afterwards.

Motion by Waterland, second by Martin and carried with all members present voting yes to return to regular session at 9:18 pm.

Motion by Bachand, seconded by Martin and carried with all members present voting yes to adjourn the meeting at 9:19 pm.

ATTEST: _____
Fay Bueno, Finance Officer

APPROVED _____
Mark Carstensen, Mayor

Published once at the total approximate cost of \$